

## Message Text

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ORIGIN EA-10

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R 152009Z MAY 75

FM SECSTATE WASHDC

TO AMEMBASSY MANILA

C O N F I D E N T I A L STATE 113544

E.O. 11652: GDS

TAGS: PFOR, RP

SUBJECT: PARA - ADDITIONAL LANGUAGE ON CIVIL AIR PROBLEMS

1. DISCUSSION OF PARA HAS INDICATED DESIRABILITY OF INCLUDING LANGUAGE ON CIVIL AVIATION ISSUES. WOULD APPRECIATE EMBASSY'S COMMENTS ON THE FOLLOWING PASSAGES.

2. PART I (U.S. INTERESTS) SECTION 3(G): "REMOVE CURRENT CIVIL AIR IRRITANTS AND UNCERTAINTIES BY PLACING US-PHILIPPINE CIVIL AIR ARRANGEMENTS ON A MUTUALLY SATISFACTORY BASIS".

3. PART II, POLICY, SECTION N: "CONTINUE TO SEEK ARRANGEMENT ON CIVIL AVIATION MATTERS, INCLUDING, WHEN FEASIBLE, PHILIPPINE AGREEMENT TO BERMUDA PRINCIPLES, BUT RECOGNIZING THAT THE GOP AND PHILIPPINE AIR CARRIERS WILL PROBABLY REQUIRE AN EXTENDED PERIOD OF DEVELOPMENT BEFORE THEY ACQUIRE THE CONFIDENCE TO ACCEPT MORE OPEN COMPETITION FROM U.S. AIRLINES."

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4. PART II, COURSES OF ACTION, SECTION N: "A BILATERAL AIR AGREEMENT BETWEEN THE PHILIPPINES AND THE U.S. WAS SIGNED

IN 1946, BUT PHILIPPINE AIR LINES DISCONTINUED SERVICE TO

THE U.S. IN 1954 AND THE GOP DENOUNCED THE AGREEMENT IN 1959. THEREAFTER SERVICE CONTINUED WITHOUT AN INTER-GOVERNMENTAL AGREEMENT, AND PAL RESUMED U.S. SERVICE IN 1962. PERIODIC CONSULTATIONS IN THE ENSUING 12 YEARS FAILED TO PRODUCE AGREEMENT, HOWEVER, AS THE U.S. WAS UNWILLING TO INCLUDE TOKYO IN PAL'S ROUTE TO THE U.S. AND THE GOP WAS UNWILLING TO RELAX ITS CAPACITY RESTRICTIONS ON U.S. AIRLINES.

5. "IN AUGUST 1974 AN INTERIM AGREEMENT WAS REACHED ESTABLISHING A SCHEDULE FOR FULL CONVERSION, BY APRIL 1, 1975, TO WIDE-BODY JET SERVICE BY BOTH SIDES. THE AGREEMENT ALSO CALLED FOR NEGOTIATIONS ON A BROADER AGREEMENT, BUT NEITHER SIDE HAS SO FAR PRESSED ENERGETICALLY FOR THESE TALKS. THE INTERIM AGREEMENT CONTAINS PROVISIONS ON ALL-CARGO FLIGHTS, WHICH HAVE BECOME THE SUBJECT OF FURTHER CONFLICT AS THE GOP HAS DECLINED TO RENEW PANAM'S ALL-CARGO PERMIT. LITIGATION, MOREOVER, IS IN PROCESS CONCERNING THE UNAUTHORIZED FLIGHT OF A PAL DC-10 TO THE U.S. IN JULY 1974, WHICH LED TO SEIZURE OF THE AIRCRAFT BY THE U.S. THUS CIVIL AVIATION IS ONE OF THE MORE CONTENTIOUS ISSUES IN US-PHILIPPINE RELATIONS, WITH NO SHORT-RUN SOLUTION IN SIGHT.

6. "1. DO NOT PRESS FOR GENERAL AVIATION NEGOTIATIONS BUT REMAIN READY TO TALK IF THE GOP WISHES. 2. CONTINUE TO URGE PAL, AS MAY BE APPROPRIATE, TOWARD A SETTLEMENT OF THE SEIZURE CASE. 3. CONSIDER OTHER CIVIL AVIATION QUESTIONS THAT ARISE AS FAR AS POSSIBLE ON THEIR OWN MERITS, WITHOUT ATTEMPTING TO LINK THEM WITH OTHER ISSUES IN US-PHILIPPINE RELATIONS." KISSINGER

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